IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.1051 OF 2005

IN

SUIT NO.1206 OF 1992

...

M/s.Orbit Advertising Pvt.Ltd. ...Plaintiffs

v/s.

M/s.Walsons Laboratories & Ors. ...Defendants

...

Mr.Bali i/b Thakkar & Bali for the Plaintiffs.

Mr.J. Reis i/b Vimal Tiwari for Defendant No.3 in support.

...

CORAM: D.K.DESHMUKH, J.

DATED: 23RD DECEMBER,2005

P.C.:

. Parties are agreed that for disposing of this Notice of Motion in following terms no reasons are necessary to be recorded.

1. Notice of Motion is granted in terms of prayer clauses (a) and (b) subject to following conditions:-

(i) In addition to the amount of Rs.4 lakh which was already deposited by the Defendant, the Defendant shall deposit an amount of Rs.3 lakh on or before 31-1-2006 and further amount of Rs.3 lakh on or before 31-3-2006. The amount be deposited with due intimation to the Plaintiff.

2. The Plaintiff shall be permitted to withdraw the amount deposited by the Defendant on furnishing an undertaking to this court to bring back the amount on such terms and conditions as may be directed by this Court and as and when directed by this Court.

3. In case the Defendant commits default in either depositing the amount of Rs.3 lakh by 31-1-2006 or further amount of Rs.3 lakh by 31-3-2006, this Notice of Motion shall be treated as dismissed.

4. The Defendant undertakes to file their written statement by 31-1-2006. In case the written statement is filed by that date, it be taken on record and office shall place the suit for further orders before the appropriate court.

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